

August 10, 2016



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 16618
(FIRST REVISION)

EXPIRATION DATE: 2018-05-31

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Farmers Grain Company
Pond Creek, OK
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of anhydrous ammonia in four (4) existing non-DOT specification cargo tanks commonly known as "nurse tanks" and considered an implement in husbandry. The tanks exceed the authorized capacity and are loaded by volume rather than by weight as required by the Hazardous Materials Regulations (HMR). This special permit provides no relief from the HMR other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
 - c. No party status will be granted to this special permit.
 - d. New construction is not authorized.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.24b(a)(1) in that each cargo tank may not be loaded by weight and 173.315(m)(1)(iv) in that each cargo tank may not exceed a capacity of 3,000 gallons, except as specified herein.

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5. BASIS: This special permit is based on the application of Farmers Grain Company dated November 24, 2015 submitted in accordance with § 107.105 and the public proceeding thereon and additional information submitted March 22, 2016 and June 27, 2016.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Ammonia, anhydrous	2.2	UN1005	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The packagings prescribed are four (4) existing non-DOT specification cargo tanks commonly known as "nurse tanks" and considered an implement in husbandry. The packagings (supply tanks) have a maximum capacity of 5,000 gallons and are designed, constructed, and stamped to the ASME Code Section VIII, Division 1 1998 Edition. Each packaging has a 250 psig Maximum Allowable Working Pressure. The packagings must be in conformance with the documentation and information on file in the Office of Hazardous Materials Safety Approvals and Permits Division (OHMSAPD).

b. TESTING -

(1) Each packaging authorized by this special permit must be tested, inspected and marked in accordance with the requirements of § 173.315(m)(2), titled: *Nurse Tanks with missing or illegible ASME plates*.

(2) The tests, inspections and marking in paragraph 7.b.(1) must not be performed by a mobile unit tester.

c. REPAIR -

(1) The facility must hold a current R or U stamp;

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(2) Any physical repairs requiring welding to the pressure vessel component of these supply tanks shall be performed according to the applicable Supplement 6 of the current edition of the National Board Inspection Code (NBIC) and certified by an Authorized Inspector (AI) as defined in Title 49 of the Code of Federal Regulations and an external visual inspection performed as required by § 180.407(d);

(3) Any modification to the minimum thickness acceptance criteria shall be calculated and certified by a Design Certifying Engineer currently registered with DOT; and

(4) Physical repairs and design modification involving the determination of minimum thickness criteria shall be made at the discretion of an authorized inspector as applicable but shall be reported within thirty working days to OHMSAPD. All other physical or design modifications, except determination of minimum thickness acceptance criteria, shall be made only after receiving permission from OHMSAPD. All repairs or physical or design modifications shall be noted on a modification/repair plate attached to the tank if a suitable pad is available or on an adjacent tank supporting structure, but the plate must be on the same side of the tank and clearly within sight of the original cargo tank manufacturer's name plate. Modification or repair plates shall be of the material and stamping configuration with letter or figure size required for a DOT specification cargo tank. The data and record retention requirements applicable to the configuration of the supply tank vehicles of § 178.337-18(b) shall be observed.

d. OPERATIONAL CONTROLS -

(1) The packagings authorized by this special permit shall be used as supply tanks as part of the NH₃ Application System to apply anhydrous ammonia for agricultural purposes.

(2) The supply tank shall be filled with anhydrous ammonia at the field application site from a MC 330/331 Specification Cargo Tank Motor Vehicle (CTMV); no person shall perform the filling operation except the CTMV driver of the delivering CTMV. The CTMV driver shall hold a current CDL with an approved hazmat

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endorsement indicating training and eligibility to transport and transfer anhydrous ammonia from a DOT Specification MC 330/331 cargo tank to another container in accordance with Federal, State and local regulations.

(3) A supply tank shall be filled volumetrically as indicated by its float gauge to no greater than 4,250 gallons. When the ammonia temperature is no higher than 32 °F indicated by the delivering CTMV equipment thermometer, the supply tank will be filled to no greater than 4,100 gallons.

(4) The NH₃ Application System including the supply tank shall not be moved before the ammonia residue in the supply tank is reduced to 3,000 gallons or less. Loading shall not occur until the NH₃ Application System has arrived at a new application site.

(5) The NH₃ Application System including the supply tank shall not travel at a speed exceeding 25 mph.

(6) The NH₃ Application System including the supply tank shall not be transported between 45 minutes before sundown and 45 minutes after sunup on any public roads or highways.

(7) When stipulated, movement of a NH₃ Application System or supply tank shall only occur after notification of local law enforcement officials of intended movement by public road and receive an escort where necessary.

(8) Only Farmers Grain Company employee(s) or authorized persons shall operate; be allowed to connect or disconnect any hose or pipe; handle equipment pertaining to the containment or flow of anhydrous ammonia; or connect, re-hitch, disconnect or unhitch any part of the NH₃ Application System. Farmers Grain Company must provide training, instruction and guidance to all employees and authorized persons on these requirements.

(9) Farmers Grain Company will make provisions for security from tampering or from theft or release of anhydrous ammonia from the four combined vehicle ammonia applicator units at all times, but particularly when it is necessary for the units to remain overnight

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or on weekends at field sites.

(10) The supply tanks must be marked with the special permit number "DOT-SP 16618".

(11) New construction is not authorized.

8. SPECIAL PROVISIONS:

a. Only private carriage is authorized under the terms of this special permit.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

a. A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.

b. The grantee must maintain a valid Hazardous Materials Safety Permit issued by the Federal Motor Carrier Safety Administration.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

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Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover
Acting Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: LMajors